

In one embodiment of the invention, the track shaft or axle 20 is journaled in a bearing 22 that is disposed between the track-drive sprocket 24 (also called the track-axle sprocket) and the track sprockets 18. Bearing 22 adds support to the track shaft or axle 20.

2. Please amend the drawings in accordance with the Replacement Sheets submitted herewith.

3. Please amend claim 2 and add claim 3 as shown on the attached Claim Listing submitted herewith.

II. REMARKS

A. DRAWINGS

1. The Examiner objected to the drawings because the numbers and letters were not uniformly thick and well defined. Amended replacement drawing sheets accompany this Amendment.

2. The Examiner further objected to the drawings under 37 CFR 1.83(a) because the drawings did not show the hydraulic motor recited in the preamble of claim 1. Original Figs. 2 and 4 do show the hydraulic motor as identified by reference numeral 28. The specification has been amended to clarify that the final drive 28 is a hydraulic motor having a stationary part attached to a pontoon. No new matter has been added because original claim 1 recited a hydraulic motor having a stationary part attached to the pontoon and having a motor drive sprocket and because the original drawings 2 and 4 depicted this feature.

3. The Examiner objected to Figs. 2 and 3 of the drawings for failure to comply with 37 CFR 1.84(p)(5), because they included reference character 22 that was not mentioned in the description. The specification has been amended to add reference

character 22 in the description. Corrected drawing sheets showing number 22 are enclosed.

B. SPECIFICATION

The specification has been amended to more clearly describe the hydraulic motor, as depicted in Figs. 2 and 4, at reference numeral 28, and to describe bearing 22, depicted in Figs. 2, 3, and 4 of the original drawings. No new matter has been added.

C. CLAIMS

1. Rejection over Wilkerson

The Examiner rejected claims 1 and 2 under 35 U.S.C. Section 102(b) as being anticipated by United States Patent 5,379,709 to Wilkerson, stating in pertinent part, that Wilkerson discloses “a hydraulic motor 12 having a stationary part attached to the pontoon.” Applicant respectfully disagrees that Wilkerson discloses a hydraulic motor 12 having a stationary part attached to the pontoon. Rather, Wilkerson, in Figs. 3, 4, and 8, depicts hydraulic motors 12 located on the upper surface of deck 17. Wilkerson specifically states that “deck 17 is supported above the pontoon hull 2 with deck supports 18 that are attached to the pontoon hull 2 beyond sides of endless tracks 1” (Column 3, lines 27-29), and also that “deck 17 is positioned at a sufficient distance above pontoon hull 2 to allow traverse of the tracks 1 between the pontoon hull 2 and the deck 17 to allow passage of material carried by the tracks 1” (Column 3, lines 32-35). Also, column 3, lines 46-48, describe the hydraulic motors 12 as being “[p]ositioned on the deck 17.” Thus, Wilkerson does not disclose “a hydraulic motor 12 having a stationary part attached to the pontoon” as is recited in the preamble of claim 1.

The difference in hydraulic motor location as between the disclosure of Wilkerson and the recitation of claim 1 of Wilson's patent application provides advantages for Wilson's claimed invention. Attachment of a stationary part of the hydraulic motor to a pontoon, as recited in claim 1 of the instant patent application, eliminates the need for an upper structure, as required by Wilkerson, to hold the motor, and eliminates the need for protruding deck supports, as required by Wilkerson, thereby reducing the risk of projections and protrusions knocking into trees, stumps, and similar environmental hazards.

In view of the foregoing, applicant respectfully requests that the Examiner reconsider and withdraw this rejection as to claim 1.

The Examiner also rejected claims 1 and 2 as being anticipated by Wilkerson, stating, in pertinent part, that Wilkerson discloses a "track-drive sprocket 56 removably affixed to the shaft near or at an end thereof; and a shaft bearing 47 disposed between the track-drive sprocket and the at least one track sprocket." Applicant further respectfully submits that claims 1 and 2 are not anticipated by Wilkerson because Wilkerson discloses a track-drive sprocket held in place by a bearing keeper, which in turn is held in place by one or more fastener bolts threaded into each end of the axle shaft.

Applicant's invention is directed to a track-drive assembly wherein track-drive sprocket 24 (also referred to in the specification as track-axle sprocket 24) can be easily removed and replaced in the field without the necessity for removing a bearing or pillow block (Specification, page 7, line 22 through page 8, line 11), thus allowing for gearing down or gearing up as conditions warrant. Specifically, applicant's invention allows for ease of removal of the track-drive sprocket from the track axle in the field without having

to remove a bearing or pillow block as would be required with the apparatus disclosed in Wilkerson. Wilkerson does not address the need for gearing down in certain environments and does not address the ability to remove and replace a track-drive sprocket in the field without the need for removing a bearing or a pillow block. Rather, Wilkerson teaches the use of a bearing keeper.

Wilkerson discloses the use of a bearing keeper 54 fit onto the ends of the shaft and held in place by one or more fastener bolts threaded into each end of the shaft 46 (Column 5, line 61, through column 6, line 5). This arrangement complicates removal and replacement of the track-drive sprocket and does not achieve the advantage of easy removability and replacement in the field that applicant's invention achieves.

While it is true, as the Examiner correctly stated, that Wilkerson discloses a shaft bearing 47 disposed between the track-drive sprocket and the at least one track sprocket, Wilkerson also discloses a bearing keeper that would have to be removed and replaced every time the track-drive sprocket is removed and replaced. Applicant has amended claim 2 to more specifically point out that the track-drive sprocket can be removed without removing any bearing or any bearing keeper.

In view of the foregoing, applicant respectfully requests that the Examiner reconsider and withdraw this rejection as to claims 1 and 2.

2. Rejection over Reynolds

The Examiner also rejected Claim 2 under 35 U.S.C. Section 102(b) as being anticipated by Patent 2,546,523 to Reynolds, stating in pertinent part that Reynolds discloses a "track-drive sprocket removably affixed to the shaft near or at an end

thereof.” Applicant respectfully disagrees that Reynolds discloses a removable track-drive sprocket. Rather, Reynolds discloses drive sprockets 23 that are rigidly mounted on the inboard ends of shafts 22. Reynolds does not address the desirability for easy removability and replacement of the track-drive sprockets. Reynolds discloses sprockets rigidly mounted on the shafts, which sprockets are not disclosed as removable as in the present invention.

In view of the foregoing, applicant respectfully requests that the Examiner reconsider and withdraw this rejection as to claim 2.

3. Rejection over Penny

The Examiner rejected claims 1 and 2 under 35 U.S.C. Section 102(e) as being anticipated in the published patent application of Penny (Publication No. 2002/0112460), stating in pertinent part, that Penny discloses “a hydraulic motor 50, 52 having a stationary part attached to the pontoon.”. Applicant respectfully disagrees that Penny discloses a hydraulic motor 50, 52 having a stationary part attached to the pontoon. Rather, Penny discloses hydraulic motors 50 and 52 “mounted adjacent the stem end of the vehicle 12 on the decking 42 above the stem end of the inner side walls of the hulls 16 and 18, respectively” (Column 3, lines 1-6). This arrangement is substantially similar to that disclosed in Wilkerson. Applicant adopts here the reasoning set forth above in the discussion of Wilkerson.

In view of the foregoing, applicant respectfully requests that the Examiner reconsider and withdraw this rejection as to claim 1.

The Examiner also rejected claims 1 and 2 as being anticipated by Penny, stating, in pertinent part, that Penny discloses a “track-drive sprocket 70 removably affixed to the shaft near or at an end thereof; and a shaft bearing 74 disposed between the track-drive sprocket and the at least one track sprocket.” Applicant respectfully disagrees that Penny discloses a removable track-drive sprocket. Rather, Penny discloses track-drive sprockets 70 that are “fixed to a drive shaft” (Column 3, paragraph 0033, lines 5-6). Penny does not address the desirability for easy removability and replacement of the track-drive sprockets. Penny discloses track-drive sprockets fixed to the shafts, which sprockets are not disclosed as removable as in the present invention. The sprockets are not removably attached to the shaft in the Penney application as in the subject patent.

In view of the foregoing, applicant respectfully requests that the Examiner reconsider and withdraw this rejection as to claims 1 and 2.

4. CLAIM 3

Applicant has added new claim 3, which is dependent on claim 1 and which adds the limitation that the track-drive sprocket is removable without first having to remove any bearing or bearing keeper.

III. CONCLUSION

Applicant respectfully submits that the application is in condition for allowance and requests an early notice of allowability.

Respectfully submitted,

MICHAEL D. CARBO, PLC



Michael D. Carbo (Reg. No. 30,615)
228 St. Charles Avenue, Suite 700
New Orleans, Louisiana 70130
Telephone: (504) 586-1602
Facsimile: (504) 586-1611

Enclosures